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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROSA ESTER BRIZUELA, individually, and as the appointed special administrator of the estate of ROLANDO ANTONIO BRIZUELA, ROLAND BRIZUELA, individually, and MORGAN BRIZUELA, individually,

Plaintiff,

VS.

CITY OF SPARKS; ELI MAILE; BRIAN SULLIVAN and DOES 1 - 10, inclusive,

Defendants.

Case No. 3:19-CV-00692-MMD-WGC

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO FILE
DEFENDANT'S REPLY IN
SUPPORT OF PARTIAL MOTION
TO DISMISS THIRD AMENDED
COMPLAINT, OR, IN THE
ALTERNATIVE, MOTION TO
STRIKE**

(Fed. R. Civ. P. 12(b)(6), 12(f))

24 COMES NOW Defendants CITY OF SPARKS, ELI MAILE, and BRIAN SULLIVAN, and
25 Plaintiffs ROSA ESTER BRIZUELA, individually, and as the appointed special administrator of the
26 estate of ROLANDO ANTONIO BRIZUELA, ROLAND BRIZUELA and MORGAN BRIZUELA,
27 (collectively hereafter the “PARTIES”) by and through their undersigned counsel, hereby stipulate
28 and agree that the time for Defendants to file their Reply in Support of Defendants’ Partial Motion to

1 Dismiss Third Amended Complaint, or, in the Alternative, Motion to Strike (Motion) be extended
2 one week from the original due date of February 11, 2021. Defendant's Reply will now be due on or
3 before February 18, 2021.

4 **REASON FOR EXTENSION**

5 Counsel for Defendants is preparing for a Wednesday, February 10, 2021 administrative
6 hearing before the Nevada Labor Commissioner and requires additional time to prepare their response
7 to Plaintiffs' arguments in opposition to Defendants' Motion and Plaintiffs' new alternative request
8 for leave to file a Fourth Amended Complaint. This stipulation is made in good faith and not for the
9 purpose of delay.

10 This is the first extension of time requested by counsel for Defendants' Reply in Support of
11 Defendants' Partial Motion to Dismiss Third Amended Complaint, or, in the Alternative, Motion to
12 Strike.

13 Respectfully submitted this 9th day of February, 2021.

14 PETER GOLDSTEIN LAW CORP

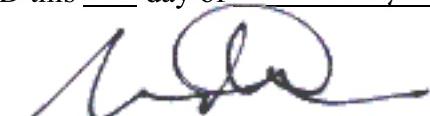
CHESTER H. ADAMS
Sparks City Attorney

16 By: /s/Peter Goldstein
17 PETER GOLDSTEIN
Attorney for Plaintiffs

By: /s/ Brandon C. Sendall
18 BRANDON C. SENDALL
Senior Assistant City Attorney
Attorneys for Defendants

19 IT IS SO ORDERED.

20 DATED this 9th day of February, 2021



21
22 UNITED STATES MAGISTRATE JUDGE
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that I am an employee of the Sparks City
3 Attorney's Office, Sparks, Nevada, and that on this date I served the foregoing document(s) entitled

4 **STIPULATION AND ORDER EXTENDING TIME TO FILE A REPLY IN SUPPORT OF**
5 **MOTION TO DISMISS THIRD AMENDED COMPLAINT OR, IN THE ALTERNATIVE,**
6 **MOTION TO STRIKE** on the persons set forth below by:

- 7 Case Management/Electronic Case Filing (CM/ECF) and/or;
8 Placing an original or true copy thereof in a sealed envelope placed for collection and
9 mailing in the United States Mail, at Sparks, Nevada, postage prepaid, following ordinary
business practices, and/or;
10 Personal Delivery, and/or;
11 Electronic Mail (Email), and/or;
12 Federal Express or other overnight delivery, and/or;
13 Reno/Carson Messenger Service.

14

15 If physically delivered, each is addressed as follows:

16 Peter Goldstein
17 PETER GOLDSTEIN LAW CORP
18 10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145
peter@petergoldsteinlaw.com
toni@petergoldsteinlaw.com

20 DATED this 9th day of February, 2021.
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Roxanne Doyle

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